

### **REMARKS**

Claims 1-31 are currently pending in this application. Applicant has amended claims 1, 3, 4, 7, 9, 10, 13, 19, 24, 28, and 31. Applicant has added claim 32 and canceled no claims. Accordingly claims 1-32 are now pending.

The Office Action rejected claims 1-31 as follows:

a) claims 1-22 and 27-31 were rejected under 35 USC § 102(b) over U.S. Patent Pub. No. 2001/0026512 ("Nishimura"); and

b) claims 23-26 were rejected under 35 USC § 103(a) over Nishimura alone or in view of Official Notice.

Applicant respectfully traverses the rejections. Although applicant disagrees with the propriety of the rejections, applicant amends claims to more particularly define its technology. Moreover, applicant challenges the Official Notice and requests citations to publications teaching or suggesting the claimed technology.

As described in applicant's specification, conventional optical drives employ a sample-and-hold circuit between the photodetecting device and the reference signal generation device when writing data to optical storage media because the high writing power used during writing exceeds the tolerances of the reference signal generation device. (See, e.g., applicant's specification at 3:13-4:20.) The sample-and-hold circuit provides a previously sampled signal instead of the currently detected signal during writing operations. The passages of Nishimura cited by the Office Action neither teach nor suggest using the actual signal instead of a previously sampled and held signal during writing or recording operations. Nishimura is directed to techniques for reproducing wobble signals during reading ("reproducing") operations. (See Nishimura, Abstract.) According to Nishimura, "At the time of recording of these recordable optical disks, clock signal generation from a reproduction signal, which is performed in a

conventional read-only disk, can not be performed. Thus, a groove as a portion where information is recorded on a disk is wobbled at a constant period, and a clock signal at the time of recording is generated from a wobble signal obtained by reproducing this wobbling (hereinafter referred to as wobble) by a push-pull system." (Nishimura, [0004], emphasis added.) Although applicant believes that its previously pending claims are patentable over Nishimura, applicant nevertheless amends its independent claims to make this distinction more clear.

Claims 1-6 now recite "wherein the plurality of reflected light signals are used instead of a previously sampled and held signal for generating the reference signal even when the optical-electronic system is recording data onto the optical storage medium." Thus, claims 1-6 are patentable over the applied references.

Claims 7-12 now recite "wherein the plurality of continuously reflected light signals is used instead of a previously sampled and held signal to derive the first input signal and the second input signal for generating the reference signal even when the optical-electronic system is recording data onto the optical storage medium." Thus, claims 7-12 are patentable over the applied references.

Claims 23-27 now recite "wherein the plurality of reflected light signals are used instead of a previously sampled and held signal for generating the reference signal even when the optical-electronic system is recording data onto the optical storage medium." Thus, claims 23-27 are patentable over the applied references.

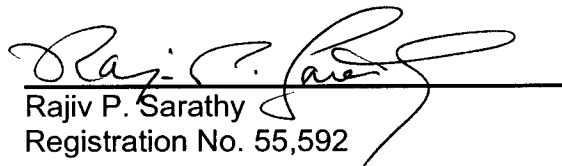
Claims 28-31 now recite "a third operation circuit continuously generating a reference signal according to the first input signal and the second input signal instead of a previously sampled and held signal even when the optical-electronic system is recording data onto the optical storage medium." Thus, claims 28-31 are patentable over the applied references.

**Conclusion**

In view of the foregoing, the pending claims comply with the requirements of 35 U.S.C. § 112 and are patentable over the applied art. Applicant accordingly requests reconsideration of the application and a mailing of a Notice of Allowance. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to contact Rajiv P. Sarathy at (206) 359-6478.

Respectfully submitted,  
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